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July 21, 2011

Ms. Marlene H. Dortch
Secretary
Federal Communications Commission
445 12th Street, SW
Washington, DC 20554

Re: Global Crossing Limited and Level 3 Communications, Inc., Application for Consent to Transfer Control of Authority to Provide Global Facilities-Based and Global Resale International Telecommunications Services and of Domestic Common Carrier Transmission Lines, Pursuant to Section 214 of the Communications Act, as Amended, IB Docket No. 11-78

Dear Ms. Dortch:

Global Crossing Limited ("GCL") respectfully requests that, pursuant to Sections 0.457 and 0.459 of the Commission's rules, 47 C.F.R. §§ 0.457, 0.459, the Commission withhold from any future public inspection and accord confidential treatment to the attached submissions. The documents contain sensitive commercial and financial information that falls within Exemption 4 of the Freedom of Information Act ("FOIA"), 5 U.S.C. § 552(b)(4). In the event that the Commission subsequently issues a protective order in this proceeding, GCL seeks "confidential" rather than "highly confidential" protection with respect to this information.

Exemption 4 of FOIA provides that the public disclosure requirement of the statute "does not apply to matters that are . . . (4) trade secrets and commercial or financial information obtained from a person and privileged or confidential." 5 U.S.C. § 552(b)(4). Because GCL is voluntarily providing commercial information "of a kind that would not customarily be released to the public," this information is "confidential" under Exemption 4 of FOIA. *See Critical Mass Energy Project v. NRC*, 975 F.2d 871, 879 (D.C. Cir. 1992).

In support of this request and pursuant to Section 0.459(b) of the Commission's rules, GCL hereby states as follows:

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1. Identification of Specific Information for Which Confidential Treatment Is Sought (Section 0.459(b)(1))

GCL seeks confidential treatment with respect to the portions of its reply comments, filed jointly with Level 3 Communications, Inc., including the supporting declarations, detailing the amount of Internet traffic carried by GCL.

2. Description of Circumstances Giving Rise to the Submission (Section 0.459(b)(2))

The amount of GCL's Internet traffic delivered to its North American customers or from its North American network is not ordinarily made public. As such, the documents at issue contain data not publicly available that could be of assistance to GCL's competitors.

3. Explanation of the Degree to Which the Information Is Commercial or Financial, or Contains a Trade Secret or Is Privileged (Section 0.459(b)(3))

The portions of the documents for which confidential treatment is sought contain sensitive commercial information "which would customarily be guarded from competitors." 47 C.F.R. § 0.457. GCL does not make this information available outside of non-disclosure agreements.

4. Explanation of the Degree to Which the Information Concerns a Service that Is Subject to Competition (Section 0.459(b)(4))

The market for Internet connectivity, including services provided by Internet backbones, is highly competitive.

5. Explanation of How Disclosure of the Information Could Result in Substantial Competitive Harm (Section 0.459(b)(5))

Disclosure of the information could enable a competitor to gain insight into the amount of traffic handled by GCL and the extent to which that traffic is from GCL customers.

6. Identification of Any Measures Taken to Prevent Unauthorized Disclosure (Section 0.459(b)(6))

GCL does not make this information available except under non-disclosure agreements.

7. Identification of Whether the Information Is Available to the Public and the Extent of Any Previous Disclosure of the Information to Third Parties (Section 0.459(b)(7))

The redacted information in the documents is not and has not previously been publicly disclosed.

LATHAM & WATKINS^{LLP}

Sincerely,

A handwritten signature in black ink, appearing to read "Matthew Brill", with a long horizontal flourish extending to the right.

Matthew A. Brill
of LATHAM & WATKINS LLP

Counsel to Global Crossing Limited

Attachment